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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,117	05/24/2001	Debra Sue Sedlack	AUS920010285US1	1474

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EXAMINER

COFFY, EMMANUEL

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/864,117	SEDLACK, DEBRA SUE	
	Examiner	Art Unit	
	Emmanuel Coffy	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to the amendment filed on February 1, 2005. Claims 8, 9, 14, and 15 are amended to correct typographical errors. Claims 1-18 are pending and represent a method, and apparatus to "Solve compatibility between heterogeneous web server access log formats."

Response to Arguments

2. In the remarks, applicant argues that the Examiner misapprehends Nareddy and as a result fails to state a prima facie case of obviousness. Applicant's arguments revolve around a central premise, which embodies the novel feature of applicant's invention. Applicant cites numerous passages of Nareddy in an attempt to distinguish said salient feature of the invention namely: "if the web server in Nareddy attempted to contact a web server having a different access log formats, then Nareddy could not access the web log data in the first place" (applicant's remarks, page 11 of 18.) However, applicant did state that "although Nareddy does discuss converting customer data into a format that facilitates processing by the decision support system applications..." (applicant's remarks, page 14 of 18.) Applicant further stated that Nareddy merely reformats information contained in web logs that have already been read in the first place. (emphasis added). This affirms the fact that Nareddy does contemplate web servers having different access log formats (See col. 4, lines 44-65.) Thus, applicant managed to contradict his earlier assertion quoted above.

In response to applicant's arguments against the reference individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

3. Applicant next argued that like Nareddy, Nair's methods depend on first successfully reading the web log in the first place.

As stated above Nareddy does contemplate web servers having different access log formats and applicant managed to contradict his earlier assertion quoted above.

The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

4. As for the proposition that Nareddy shows a method for establishing compatibility between heterogeneous computer systems, applicant is directed to column 1, lines 11-15 in the Background section setting forth the state of prior art and the mechanisms that lead to different web access log formats.

5. In response to applicant's argument that there is no suggestion to combine the references, (applicant's amendment, page 16 of 18) the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge

generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Nareddy at col. 3, lines 1-5 sets forth the reasons why a user or web site operator would want to understand the effectiveness of a web site.

6. Applicant's arguments have thus been fully considered but they are not persuasive. In response to Applicant's arguments, 37 CFR § 1.111(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.

7. The claims stand rejected as articulated in the First Office Action (see below) and all objections not addressed in Applicant's response are herein reiterated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nareddy et al. (US 6,785,666) in view of Nair et al. (US 6,741,990.)

Nareddy teaches the invention substantially as claimed including a method and system for providing customers with access data to and analysis of event data, which may be stored in log files. A warehouse server receives customer data; it converts the

customer data into a format that is more conducive to processing by decision support system applications by which customers can analyze their data. (See abstract.)

Claim 1:

Referring to claim 1, Nareddy teaches a method for establishing compatibility between heterogeneous web server access log formats, comprising: (See col. 1 and 2).supplying a description of an access log file of a web server, by: (See col. 4, lines 1-16)opening a customizable configuration file; if the access log is static, setting a log pattern definition to describe data elements, order, and syntax of log entries; (See col. 5, lines 5-8).if the access log is dynamic, setting a dictionary feature for a log pattern definition; (See col. 6, lines 17-29)saving and exiting the configuration file; and (See col. 5, lines 21-24).

invoking a computer process, wherein the process in turn invokes a web server access log translation engine (WSALTE) which translates the described web server access log file to a desired log format and returns the translated file back to the computer process. (See col. 6, lines 42-56).

Nareddy teaches a method and system for parsing navigation information stored in access log files. Nareddy does not specifically disclose the concept of a dynamic log file. However, Nair specifically teaches a dynamic log file where blocks of IP addresses are to be filtered. (See col. 6, lines 27-65).

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the translation of different access log files taught by Nareddy with the dynamic algorithm as disclosed by Nair. Such a system would allow a user to understand the effectiveness of a web site. Therefore, claim 1 is rejected.

Claim 2:

Referring to claim 2, Nareddy teaches the method according to claim 2, wherein the computer process comprises at least one of a tool, application, and adapter. (See col. 4, lines 44-47).

Nareddy teaches a warehouse system that may provide a data processor component that converts the log files into a suitable format. This data processor is both a tool and an application. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the translation of different access log files taught by Nareddy. Therefore, claim 2 is rejected.

Claim 3:

Referring to claim 3, Nareddy teaches the method according to claim 1, wherein the step of setting the log pattern definition for a static access log further comprises:

examining each of a plurality of data elements in an entry of the access log file;
(See col. 5, lines 9-39).

if a data element contains a delimiter that may exist in another data element, isolating the data by replacing the WSALTE terminology with a user substitute definition; equating the user substitute definition with WSALTE terminology; equating the user substitute definition delimiters with non-unique delimiters; and removing non-unique delimiters from a parent delimiter list. (See col. 5, lines 27-39 and col. 6, lines 17-28).

Nareddy teaches examining each of a plurality of data elements in an entry of the access log file and removing non-unique delimiters. Nareddy fails to specifically

teach equating user substitute definition. However, Nair teaches algorithm for searching and replacing user definition.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the translation of different access log files taught by Nareddy with the filtering process as disclosed by Nair. Such a system would allow a user to understand the effectiveness of a web site. Therefore, claim 3 is rejected.

Claim 4:

Referring to claim 4, Nareddy teaches the method according to claim 1, wherein the step of setting the dictionary feature for a dynamic access log further comprises:

examining each of a plurality of data elements in an entry of the access log file;

(See col. 5, lines 9-39).

if the name of the data element equates with a WSALTE name in the dictionary feature, equating the server name with a WSALTE name;

if the name of the data element does not equate with a WSALTE name, determining if the data element name contains multiple WSALTE names;

if the data element name contains multiple WSALTE names, providing substitute definitions, using WSALTE names, which describe discreet data elements; and

if the data element name does not contain multiple WSALTE names, equating the server name with an ignore label. (See col. 5, lines 27-39 and col. 6, lines 17-28).

Nareddy teaches examining each of a plurality of data elements in an entry of the access log file and removing non-unique delimiters. Nareddy fails to specifically

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teach equating user substitute definition. However, Nair teaches algorithm for searching and replacing user definition.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the translation of different access log files taught by Nareddy with the filtering process as disclosed by Nair. Such a system would allow a user to understand the effectiveness of a web site. Therefore, claim 4 is rejected.

Claim 5:

Referring to claim 5, Nareddy teaches the method according to claim 1, wherein the customizable configuration file is an ASCII file. (See col. 9, lines 53-55).

Nareddy teaches a configuration file that defines high-level data to be derived from the log entries. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the configuration file as an ASCII file as taught by Nareddy. Therefore, claim 5 is rejected.

Claims 6-18

These claims do not teach or define any significantly new limitation above and beyond claims 1-5 to warrant particular treatment, and therefore are rejected for similar reasons. Claim 11 is a computer program product whereas claim 17 recites a system. That is not a significant new limitation to warrant particular treatment.

9. THIS ACTION IS MADE FINAL.

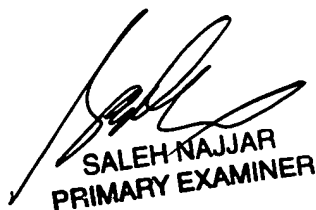
Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is

not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-3997. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SALEH NAJJAR
PRIMARY EXAMINER

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Art Unit 2157